

A BILL

FOR AN ACT TO REPEAL SECTION 3901, CHAPTER 3, TITLE XXIV, IN RELATION TO THE KEEPING AND SALE OF NAPHTHA, ILLUMINATING OILS, PETROLEUM &c., AND ENACT A SUBSTITUTE IN LIEU THEREOF.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 3901, of the Code be, and the same is hereby repealed, and in lieu thereof is enacted the following :

SEC. 2. If any person mixes for sale naphtha and illuminating oils, or shall keep or offer for sale, or sell such mixture, or shall keep or offer for sale or sell oil made from petroleum for illuminating purposes, or any other product of petroleum inflammable at a less temperature or fire test than one hundred and fifty degrees Fahrenheit, he shall be deemed guilty of a misdemeanor and punished for the first offense, by fine not exceeding one hundred dollars and costs, or by imprisonment in the county jail not exceeding thirty days, and for the second and every succeeding offense, by fine not less than one hundred or more than one thousand dollars and costs, or by imprisonment in the county jail not less than thirty days nor more than twelve months, or by both such fine and imprisonment.

SEC. 3. The mayor and aldermen of every city of more than five thousand inhabitants, and board of supervisors of each county, shall appoint annually one or more suitable persons not interested in the sale or manufacture of petroleum or in any of their products, to be inspector or inspectors thereof in said city or county, and fix their compensation to be paid as hereafter provided, and who before entering upon the duties of their office, shall be duly sworn. Any inspector guilty of fraud, deceit or culpable negligence in the performance of his duties, shall be punished by fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days, or by both in the discretion of the court.

SEC. 4. Any justice of the peace, mayor or other peace officer, under whose jurisdiction it may come, shall on written application of three or more citizens, have the inspector to examine Tagliabue's or some other approved instrument, illuminating oils, or compounds made from coal or petroleum of any dealer, and kept for sale by him, except for the purpose of remanufacture, and if it will evaporate as gas under 110 degrees Fahrenheit, or ignite at a temperature of less than one hundred and fifty degrees Fahrenheit, the person selling shall be guilty of misdemeanor and be punished according to this act, and cost of inspecting collected off of the merchant who sold or kept it for sale, But if the illuminating oils or petroleum be found fully up to the required standard, the cost of inspection shall be paid by the county.

SEC. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa State Register* and *Iowa State Leader*, newspapers published at Des Moines, Iowa.